

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

| | | |
|-----------------------------------|---|----------------------------|
| Joshua Ashton Floyd, |) | C/A No.: 1:18-1677-MGL-SVH |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER |
| Director Patricia Ray and Officer |) | |
| Tammy Moses, in their individual |) | |
| and official capacities, |) | |
| |) | |
| Defendants. |) | |
| |) | |

Plaintiff, proceeding pro se, brought this action alleging violations of his constitutional rights by Defendants. On February 22, 2019, Defendants filed a motion for summary judgment. [ECF No. 35]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motions and of the need for him to file adequate responses by March 28, 2019. [ECF No. 37]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to Defendants' motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a

response to the motion for summary judgment by April 16, 2019. Plaintiff is further advised that if he fails to respond, the undersigned will recommend that this action be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

April 2, 2019
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge